

STATE OF NEVADA



DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION
201 South Fall Street
Carson City, Nevada 89710

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MINERALS PROGRAM
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DIVISION OF
OIL, GAS & MINING

May 17, 1990

1/023/013

E.B. King
Jumbo Mining Company
6305 Fern Spring Cove
Austin, Texas 78730

Dear Mr. King:

The enclosed Finding of Alleged Violation and Order issued by the Administrator of the Division of Environmental Protection (NDEP) pursuant to Nevada Revised Statutes (NRS) 445.317, 445.324, 459.565, and 459.570, require compliance by Jumbo Mining Company with the terms and conditions of the Order by the dates specified therein.

The Finding of Alleged Violation and Order were developed as a result of an inspection of the Jumbo Mining Company facility by Division staff on April 2, 1990, and a review of Division records.

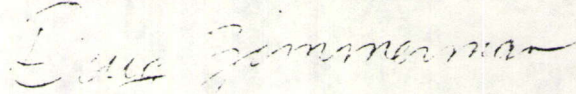
Any violation of the terms of the Order could result in a separate action for appropriate relief pursuant to NRS 445.327, 445.331, 445.334, 459.590, 459.385, and 459.600.

This Order is final unless before 30 days after the date of service of the Order a request by written petition for a hearing is received by the Nevada State Environmental Commission, 123 West Nye Lane, Carson City, Nevada 89710.

E.B. King
May 17, 1990
Page 2

If you have any questions concerning this matter, please
contact me.

Sincerely,



Doug Zimmerman
Environmental Management Specialist

DZ/KS/sb:1

Enclosures

cc: Peter Morros
Dick Reavis
L.H. Dodgion
State Environmental Commission
US EPA, Region IX
Humboldt County Commission
BLM ✓
Roy Leach

Certified Mail No. 058 552 505
Return Receipt Requested

Finding of Alleged Violation

I. This Finding is made on the basis of the following facts to wit:

- A. The State of Nevada Department of Conservation and Natural Resources, Nevada Division of Environmental Protection, under the authority of Nevada Revised Statutes (NRS) 445.214 subsection 1, has the power and duty to administer and enforce the provisions of NRS 445.131 to 445.354, inclusive, and all rules, regulations and standards promulgated by the Commission and all orders and permits promulgated by the Department; and is authorized by NRS 459.475 in accordance with NRS 459.565, subsection 1 and NRS 459.570 to make findings and issue orders.
- B. Nevada Administrative Code (NAC) 445.144 requires payment of annual fee for review and services to be submitted on or before July 1 of each year.
- C. NRS 445.221 "Unlawful discharge of a pollutant without a permit."

Except as authorized by a permit issued by the Department under the provisions of NRS 445.131 to 445.354, inclusive, and regulations promulgated under such sections by the Commission, it is unlawful for any person to discharge from any point source any pollutant into any waters of the State.

- D. NRS 459.515 "Construction, alteration, or operation of facility without permit unlawful."

It is unlawful for any person to:

- (b) Treat, store, or dispose of any hazardous waste, unless he has first obtained a permit from the Department to do so.

- E. Permit No. NEV60010 issued by the Department on September 30, 1986 authorizes the Permittee to construct, operate, and close the facility and contains general and specific conditions including:

1. Permit item I.H.4 which states, "Monitoring results shall be submitted monthly for the first year of operation and quarterly thereafter. All reports are due to the Division on or before the 15th day of the following month."

2. Permit item I.N which states, "The Permittee shall at all times maintain in good working order and operate efficiently as possible, all facilities, devices, and systems installed or used by the Permittee to achieve compliance with the terms and conditions of this permit."

F. Jumbo Mining Company has failed to comply with the aforementioned conditions in that:

1. A review of Division records indicates:
 - a. the 1989 fee for annual review and services has not been submitted to the Division;
 - b. monitoring reports have not been received by the Division since July 2, 1987.
2. April 2, 1990, Division staff conducted a site inspection of the Jumbo Mine facility and found the following:
 - a. The facility appeared to be abandoned. No personnel were at the site. Broken or dismantled piping was scattered around the tops and sides of the heaps and along the collection ditches. The ponds contained approximately two to three feet of fluid. Analysis of a sample collected April 2, 1990, from the south pond showed a weak acid dissociable cyanide level of 1.1 mg/L. In numerous places, the sides of the heaps had failed and overtopped the berm.
 - b. Numerous barrels, many containing cyanide labels, were strewn about the site. Open bags of unidentified chemicals were piled under a trailer.

- c. The soil surface near a large oil storage tank indicated spillage has occurred. A stringer of dark brown stained soil lead from the tank to a low area where approximately 400 square feet of soil was stained dark brown. An adjacent area of approximately 200 square feet was stained black. A strong hydrocarbon odor was present.

II. On the basis of the information listed above, the Administrator of the Division of Environmental Protection finds that Jumbo Mining Company is allegedly in violation of NAC 445.144, NRS 445.221, NRS 459.515, and permit conditions I.H.4. and I.N.

5/17/96
Dated

Doug Zimmerman
Doug Zimmerman
Environmental Management Specialist

IN THE MATTER OF
JUMBO MINING COMPANY

ORDER

The following Order is issued this date pursuant to the powers and duties vested in the Director of the Department of Conservation and Natural Resources by Nevada Revised Statutes (NRS) Chapter 445.214, subsection 1, and 445.216, subsection 8, delegated to the Nevada Division of Environmental Protection pursuant to NRS Chapter 445.216, subsection 9, and in accordance with NRS Chapter 445.307, NRS 445.317, subsection 1(a), NRS 445.324, NRS 459.565, subsection 1, and NRS 459.570.

On the basis of the Finding of Alleged Violation attached hereto and made a part of this Order, the Administrator of the Division of Environmental Protection, pursuant to authority delegated to him by the Director, has determined that Jumbo Mining Company is allegedly in violation of NAC 445.144, NRS 445.221, NRS 459.515, and specific conditions of permit number NEV60010, as specified in the attached Finding of Alleged Violation.

IT IS HEREBY ORDERED:

1. Authorization to operate the Jumbo Mine facility as provided in permit no. NEV60010 issued by the Division September 30, 1986, is hereby revoked.
2. By June 11, 1990, Jumbo Mining Company must submit to the Division:
 - a. the 1989 fee in the amount of \$1500.00 for annual review and services for a facility chemically processing 25,000 tons or more in 1 year;
 - b. all monitoring data collected at the facility;
 - c. a work plan and schedule for implementing all closure procedures outlined in the permanent closure plan submitted to the Division July 2, 1987;
 - d. a work plan and schedule for disposal of cyanide drums according to hazardous waste regulations;
 - e. a work plan and schedule to verify the identity of other chemicals at the site and proper disposal of these chemicals, and;
 - f. a work plan and schedule for remediation of hydrocarbon contaminated soil at the facility.

3. By June 11, 1990, contact the Division to establish a meeting date and time to show cause why the Division should not refer these matters to the Attorney General of the State of Nevada for imposition of penalties as provided by NRS 445.331, 445.334, 459.585 and 459.600.

Dated /

Richard E. Reavis, P.E.
Program Director
Ground Water Section